

1 AMENDMENT TO HOUSE BILL 696

2 AMENDMENT NO. _____. Amend House Bill 696 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Guaranteed Job Opportunity Act
5 is amended by changing Sections 10, 15, 25, 30, 35, 40, 45,
6 50, 55, and 65 as follows:

7 (20 ILCS 1510/10)

8 Sec. 10. Definitions. As used in this Act:

9 "Department" means the Department of Human Services.

10 "Eligible area" means a county or unit of general local
11 government that has a population of no more than 300,000.

12 (a) "Participant" means an individual who is determined
13 to be eligible under Section 25.

14 (b) "Project" means the definable task or group of tasks
15 which:

16 (1) will be carried out by a public agency, a
17 private nonprofit organization, a private contractor, or
18 a cooperative,

19 (2) (blank), ~~will meet the requirements of~~
20 ~~subsection (f) of Section 35,~~

21 (3) will result in a specific product or
22 accomplishment, and

1 (4) would not otherwise be conducted with existing
2 funds.

3 "Secretary" ~~(e)~~-~~"Director"~~ means the Secretary of Human
4 Services Director-of-Labor.

5 (Source: P.A. 88-114.)

6 (20 ILCS 1510/15)

7 Sec. 15. Establishment of program. The Department may
8 issue grants for the operation of projects under this Act.
9 The issuance of the grants is subject to the availability of
10 State or federal funds and at the discretion of the
11 Secretary. Grants--shall--be--made--and--projects--shall--be
12 assisted--under--this--Act--only--to--the--extent--that--funding--from
13 federal--sources--is--available--for--these--purposes.--From--the
14 sums--appropriated--by--the--General--Assembly--for--any--fiscal
15 year, the-Director-shall-make-grants--to--Executive--Councils
16 established--in--accordance--with--Section--20--for--the--purpose--of
17 assisting--local--job--projects--which--meet--the--requirements--of
18 this--Act. The General Assembly may appropriate funds for the
19 purposes of this Section from any appropriate State source or
20 from any appropriate federal source, regardless of which
21 State agency is the initial recipient of the federal funds.

22 (Source: P.A. 88-114.)

23 (20 ILCS 1510/25)

24 Sec. 25. Program eligibility.

25 (a) General Rule. An individual is eligible to
26 participate in the job projects assisted under this Act if
27 the individual:

- 28 (1) is at least 16 years of age;
- 29 (2) has resided in the eligible area for at least
30 30 days;
- 31 (3) has been unemployed for 35 days prior to the
32 determination of employment for job projects assisted

1 under this Act; and

2 (4) is a citizen of the United States, is a
3 national of the United States, is a lawfully admitted
4 permanent resident alien, is a lawfully admitted refugee
5 or parolee, or is otherwise authorized by the United
6 States Attorney General to work in the United States; and

7 (5) is a recipient of assistance under Article IV
8 of the Illinois Public Aid Code.

9 (b) Limitations.

10 (1) (Blank). ~~Not--more--than--2--individuals--who~~
11 ~~reside-in--any--household--may--be--eligible--for--a--job~~
12 ~~assisted-under-this-Act.~~

13 (2) (Blank). ~~No-individual-whose-earned-income-for~~
14 ~~the-year-preceding-the-year-in-which-the-determination-of~~
15 ~~employment--under--this--Act--is-made-is-equal-to-or-more~~
16 ~~than-\$17,000,--or-who-has-a-combined-family-income-in--the~~
17 ~~year--in-which-the-determination-of-employment-under-this~~
18 ~~Act-is-made-which-is-equal-to--or--more--than--\$17,000--a~~
19 ~~year,--may-be-eligible-for-a-job-assisted-under-this-Act.~~

20 (3) No individual participating in the job
21 opportunity project assisted under this Act may work in
22 any compensated job other than the job assisted under
23 this Act for more than 20 16 hours per week.

24 (4) Individuals ~~Each--individual~~ participating in
25 ~~the---job---project---assisted---under---this--Act--shall~~
26 ~~demonstrate,--to-the-project-manager-of--the--job--project~~
27 ~~assisted under this Act shall,--that-the-individual-sought~~
28 ~~employment-in-the-private-sector-during-the-35-days-prior~~
29 ~~to--making--application-for-employment-under-this-Act-and~~
30 ~~will-continue-to seek employment during the period of~~
31 ~~employment assisted under this Act.~~

32 (5) Any individual eligible for retirement benefits
33 under the Social Security Act, under any retirement
34 system for Federal Government employees, under the

1 railroad retirement system, under the military retirement
2 system, under a State or local government pension plan or
3 retirement system, or any private pension program is not
4 eligible to receive a job under a job project assisted
5 under this Act.

6 (Source: P.A. 88-114.)

7 (20 ILCS 1510/30)

8 Sec. 30. ~~Testing~~ and Education requirements. Any
9 individual who has not completed high school and who
10 participates in a job project under this Act may enroll, if
11 appropriate, in and maintain satisfactory progress in a
12 secondary school or an adult basic education or GED program.
13 Any individual with limited English speaking ability may
14 participate, if appropriate, in an English as a Second
15 Language program.

16 (a) ~~Testing.~~ Each participant shall be tested for basic
17 reading and writing competence by the District Executive
18 Council prior to employment by a job project assisted under
19 this Act.

20 (b) ~~Education Requirement.~~

21 (1) ~~Each participant who fails to complete~~
22 ~~satisfactorily the basic competency test required by~~
23 ~~subsection (a) of this Section shall be furnished~~
24 ~~counseling and instruction.~~

25 (2) ~~Each participant in a job project assisted under~~
26 ~~this Act shall, in order to continue employment, maintain~~
27 ~~satisfactory progress toward and receive a secondary~~
28 ~~school diploma or its equivalent.~~

29 (3) ~~Each participant with limited English speaking~~
30 ~~ability may be furnished instruction as the District~~
31 ~~Executive Council deems appropriate.~~

32 (Source: P.A. 88-114.)

1 (20 ILCS 1510/35)

2 Sec. 35. Local Job Projects.

3 (a) General authority. The Department may accept
4 applications and issue grants for operation of projects under
5 this Act. ~~Each-District-Executive-Council-shall-select--job~~
6 ~~projects--to--be--assisted--under--this--Act.--Each-job-project~~
7 ~~selected-for-assistance-shall-provide-employment-to--eligible~~
8 ~~participants.~~

9 (b) Project Objection. Subject to appropriation, one
10 small project may be selected to pilot a subsidized
11 employment to Temporary Assistance for Needy Families (TANF)
12 program for participants for a period of not more than 6
13 months. The selected projects shall demonstrate their ability
14 to move clients from participation in the project to
15 unsubsidized employment. The Department may refer TANF
16 participants to other subsidized employment programs
17 available through the Workforce Investment Act (WIA) One
18 Stops or through other community-based programs. ~~No-project~~
19 ~~may-be-selected-under-this-Section-if--an--objection--to--the~~
20 ~~project---is--filed--by--2--representatives--appointed--under~~
21 ~~subparagraph-(A)--of--paragraph--(3)--of--subsection--(a)--of~~
22 ~~Section---20---or---by---2--representatives--appointed--under~~
23 ~~subparagraph-(B)--of--paragraph--(3)--of--subsection--(a)--of~~
24 ~~Section-20.~~

25 (c) Political affiliation prohibited. No manager or
26 other officer or employee of a-District-Executive-Council--or
27 of the job project assisted under this Act may apply a
28 political affiliation test in selecting eligible
29 participation for employment in the project.

30 (d) Limitations.

31 (1) Not more than 10% of the total expenses in any
32 fiscal year of the job project may be used for
33 transportation and equipment.

34 (2) (Blank). ~~Not-more-than-10%-of-the-individuals~~

1 employed-in-any-job-project-assisted-under-this--Act--may
 2 be-employed-to-supervise-a-project.--Individuals-selected
 3 as--supervisors--may--be--selected--without-regard-to-the
 4 provisions-of-Section-25-and-may-receive-wages-in--excess
 5 of--the-rate-determined-under-Section-40.--The-limitation
 6 on-the-ratio-of-supervisors-to-employees-shall-not--apply
 7 where--more--supervision--of--eligible--participants-will
 8 contribute-to-carrying-out-the-objectives-of-this-Act.

9 (e) Minimum Maximum hours per week employed. No
 10 eligible participant employed in a job project assisted under
 11 this Act may be employed on the project for less more than 30
 12 32 hours per week.

13 (f) (Blank). Project--Progress--Reports.--Each-project
 14 manager-shall-prepare-and-submit-to--the--District--Executive
 15 Council--monthly-progress-reports-on-the-job-project-assisted
 16 under-this-Act.

17 (Source: P.A. 88-114.)

18 (20 ILCS 1510/40)

19 Sec. 40. Benefits; supportive services; job clubs.

20 (a) Wages. Each eligible participant who is employed in
 21 job projects assisted under this Act shall receive wages
 22 equal to the higher of (1) the minimum wage under Section
 23 6(a)(1) of the Fair Labor Standards Act of 1938 or (2) the
 24 minimum wage under the applicable minimum wage law, ~~or~~ (3)
 25 the-amount-which-the-eligible-participant-received-in-welfare
 26 benefits-pursuant-to-the-State-plan-approved-under-Part-A--of
 27 Title--IV--of--the--Social--Security--Act--or--in-the-form-of
 28 unemployment-compensation, if applicable, plus 10% of the
 29 amount, whichever is higher.

30 (b) Benefits.--Each-eligible-participant-who-is-employed
 31 in--projects--assisted--under--this--Act--shall--be-furnished
 32 benefits-and-employment-conditions-comparable-to-the-benefits
 33 and--conditions--provided--to--other--employees--employed--in

1 similar--occupations--by--a--comparable--employer,--but No
2 participant shall be eligible for unemployment compensation
3 during or on the basis of employment in a project.

4 (c) Supportive services. Each eligible participant who
5 is employed in projects assisted under this Act shall be
6 eligible for supportive services as provided under rules
7 developed by the Department,---which---may---include
8 transportation, health-care, special-services--and--materials
9 for--the-handicapped, child-care-and-other-services-which-are
10 necessary-to-enable-the-individual-to-participate.

11 (d) Job clubs. All participants shall participate in a
12 job club. The project shall operate or otherwise make
13 arrangements for each participant to participate in a job
14 club. Each-District-Executive-Council-shall-establish-for-the
15 eligible--area-job-clubs-to-assist-eligible-participants-with
16 the-preparation-of-resumes, the-development--of--interviewing
17 techniques,--evaluation--of-individual-job-search-activities,
18 and-economic-education-classes.

19 (Source: P.A. 88-114.)

20 (20 ILCS 1510/45)

21 Sec. 45. Labor standards applicable to job projects.

22 (a) Conditions of employment.

23 (1) Conditions of employment and training shall be
24 appropriate and reasonable in light of factors such as
25 the type of work, geographical region, and proficiency of
26 the participant.

27 (2) Health and safety standards established under
28 State and Federal law, otherwise applicable to working
29 conditions of employees, shall be equally applicable to
30 working conditions of participants. With-respect-to-any
31 participant-in-a-job-project-conducted-under-this-Act-who
32 is-engaged-in-activities-which-are-not-covered-by--health
33 and--safety--standards--under-the-Occupational-Safety-and

1 Health-Act-of-1970,--the--Director--shall--prescribe,--by
2 regulation,--standards-as-may-be-necessary-to-protect-the
3 health-and-safety-of-a-participant.

4 (3) No funds available under this Act may be used
5 for contributions on behalf of any participant to
6 retirement systems or plans.

7 (b) Displacement rules.

8 (1) No currently employed worker shall be displaced
9 by any participant, including partial displacement such
10 as a reduction in the hours of nonovertime work, wages,
11 or employment benefits.

12 (2) No job project shall impair existing contracts
13 for services or collective bargaining agreements, except
14 that no job project under this Act which would be
15 inconsistent with the terms of a collective bargaining
16 agreement shall be undertaken without the written
17 concurrence of the labor organization and employer
18 concerned.

19 (3) No participant shall be employed or job opening
20 filled when any other individual is on layoff from the
21 same or any substantially equivalent job, or when the
22 employer has terminated the employment of any regular
23 employee or otherwise reduced its workforce with the
24 intention of filling the vacancy so created by hiring a
25 participant whose wages are subsidized under this Act.

26 (4) No jobs shall be created in a promotional line
27 that will infringe in any way upon the promotional
28 opportunities of currently employed individuals.

29 (Source: P.A. 88-114.)

30 (20 ILCS 1510/50)

31 Sec. 50. Nondiscrimination.

32 (a) General rule.

33 (1) Discrimination on the basis of age, on the

1 basis of handicap, on the basis of sex, or on the basis
2 of race, color, or national origin is prohibited.

3 (2) No individual shall be excluded from
4 participation in, denied the benefits of, subjected to
5 discrimination under, or denied employment in the
6 administration of or in connection with any project
7 because of race, color, religion, sex, national origin,
8 age, handicap, or political affiliation or belief.

9 (3) (Blank). ~~No participant shall be employed on
10 the construction, operation, or maintenance of any
11 facility used or to be used for sectarian instruction or
12 as a place for religious worship.~~

13 (4) With respect to terms and conditions affecting,
14 or rights provided to, individuals who are participants
15 in activities supported by funds provided under this Act,
16 the individuals shall not be discriminated against solely
17 because of their status as the participants.

18 (b) (Blank). ~~Failure To Comply With Rules. Whenever
19 the Director finds that a recipient has failed to comply with
20 subsection (a) of this Section, or with an applicable
21 regulation prescribed to carry out this Section, the Director
22 shall notify the recipient and shall request compliance. If
23 within a reasonable period of time, not to exceed 60 days,
24 the recipient fails or refuses to comply, the Director may
25 (1) refer the matter to the Attorney General with a
26 recommendation that an appropriate civil action be
27 instituted, or (2) take other action as may be provided by
28 law.~~

29 (c) (Blank). ~~Referral to Attorney General. When a
30 matter is referred to the Attorney General pursuant to
31 paragraph (1) of subsection (b), or whenever the Attorney
32 General has reason to believe that a recipient is engaged in
33 a pattern or practice in violation of subsection (a), the
34 Attorney General may bring a civil action in any appropriate~~

1 court--of--the--State--of--Illinois--for--relief--as--may--be
 2 appropriate, including injunctive relief.
 3 (Source: P.A. 88-114.)

4 (20 ILCS 1510/55)

5 Sec. 55. Evaluation. The project Each--District
 6 Executive--Council shall establish--and maintain a an
 7 evaluation file for each individual employed in-a-project
 8 assisted-under-this-Act. These files shall be available to
 9 the Department upon request. The-evaluation-file-shall-be
 10 made-available-to-the-participant-monthly-and--shall--not--be
 11 available--to--any--other--person--without-the-consent-of-the
 12 employee.--In-carrying-out-the-provisions--of--this--Section,
 13 each--Council--shall--assure--that--the--participant--will-be
 14 afforded-the-opportunity-to-discuss-any-matter-contained--in,
 15 or-omitted-from, the-file.

16 (Source: P.A. 88-114.)

17 (20 ILCS 1510/65)

18 Sec. 65. Evaluation. The Department shall conduct an
 19 evaluation of the success of the projects funded under this
 20 Act. Each project shall cooperate with the Department in the
 21 collection of any data needed for the evaluation.
 22 Administration.

23 (a)--Accepting-Property-For--Use--Under--This--Act.--The
 24 Director--is-authorized, in-carrying-out-this-Act, to-accept,
 25 purchase, or-lease-in-the-name-of-the-Department, and--employ
 26 or--dispose-of-in-furtherance-of-the-purpose-of-this-Act, any
 27 money-or-property, real,--personal,--or--mixed,--tangible--or
 28 intangible,--received-by-gift, devise, bequest, or-otherwise,
 29 and-to-accept-voluntary-and-uncompensated-services.

30 (b)--General-Administrative-Authority.--The-Director--may
 31 make--grants,--contracts, or-agreements, establish-procedures
 32 and-make-payments, in-installments, in-advance-or-by--way--of

1 reimbursement, or otherwise allocate or expend funds under
2 this Act as necessary to carry out this Act, including
3 expenditures for construction, repairs, and capital
4 improvements, and including necessary adjustments in payments
5 on account of overpayments or underpayments.

6 (c) Waiver Authority. The Director may waive:

7 (1) the testing requirement for individuals with
8 handicaps;

9 (2) the education requirement in paragraph (2) of
10 subsection (b) of Section 30; and

11 (3) subject to a 2/3 vote of each District
12 Executive Council, the requirement relating to a 32-hour
13 work week under subsection (e) of Section 35 for unusual
14 circumstances.

15 (d) Report. The Director shall prepare and submit to
16 the General Assembly an annual report on the administration
17 of this Act. The Director shall include the following in the
18 report:

19 (1) a summary of the achievements, failures, and
20 problems of the programs authorized in this Act in
21 meeting the objective of this Act; and

22 (2) recommendations, including recommendations for
23 legislative or administrative action, as the Director
24 deems appropriate.

25 (e) Audit. The Auditor General of the State of Illinois
26 and any authorized representatives shall have access for the
27 purpose of audit and examination to any books, documents,
28 papers, and records of any recipient under this Act that are
29 pertinent to the amounts received and disbursed under this
30 Act.

31 (f) Adoption of rules. The Director may adopt
32 appropriate rules to carry out this Act.

33 (Source: P.A. 88-114.)

1 (20 ILCS 1510/20 rep.)

2 (20 ILCS 1510/60 rep.)

3 Section 10. The Illinois Guaranteed Job Opportunity Act
4 is amended by repealing Sections 20 and 60.

5 Section 99. Effective date. This Act takes effect July
6 1, 2003."